

### REMARKS

In the Office Action mailed March 28, 2011, the Examiner rejected claims 5-8. By way of the foregoing amendments and the markings to show changes, claims 5-8 remain pending and claims 5 and 8 have been amended, no new matter has been entered. The foregoing amendments are taken in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled in view of the prior art.

Further, by the present amendment, it does not follow that the amended claims have become so perfect in their description that no one could devise an equivalent. After amendment, as before, limitations in the ability to describe the present invention in language in the patent claims naturally prevent the Applicants from capturing every nuance of the invention or describing with complete precision the range of its novelty or every possible equivalent. See, Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 62 USPQ2d 1705 (2002). Accordingly, the foregoing amendments are made specifically in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled.

#### Claim Rejections – 35 USC §103

The Examiner has rejected claims 5-8 as being unpatentable over Chen et al (US 5,369,453) – “453”. The Examiner contends that ‘453’s teachings satisfy the claim language as previously written. The Examiner points to ‘453 at col.2, line 60 – col. 3, line 49 and to col. 4, lines 33-62 as basis for this contention. The Examiner also contends that ‘453 teach that both lenses are configured to correct color blindness and improve an overall brightness as an inherent property. Applicants agree with the Examiner in as much that ‘453 teaches creating a set of spectacles that attempts to correct color blindness and one of the considerations in doing so is a brightness signal (L). ‘453 provides no teaching or suggestion (either in Examiner’s cited passages or anywhere else in the ‘453 reference) to separate the correction of color blindness and correction for luminosity into two separate lenses of the spectacles. In an effort to expedite prosecution, the Applicants have amended claims 5 and 8 to more positively recite the present invention and clearly point out the function of each of the respective lens. With

the above argument and the present amendment, Applicant believes the rejection is now moot and respectfully requests that it be withdrawn.

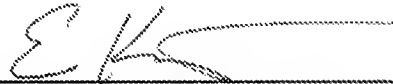
### CONCLUSIONS

In view of Applicants' amendments and remarks, the Examiner's rejections are believed to be rendered moot. Accordingly, Applicants submit that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicants request that the Examiner contact the undersigned at (248) 292-2920.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge our Deposit Account No. 50-1097 for any fee which may be due.

Respectfully submitted,

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Eric Kurtycz, Reg. No. 59,484  
Attorney for Applicants  
DOBRUSIN & THENNISCH PC  
29 W. Lawrence Street, Suite 210  
Pontiac, MI 48342  
Tel. 248-292-2920

Customer No. 25215